



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on the date below:

11-7-05  
Date

*Sue Nichols*  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
**Peter C. Johnson** §  
Serial No.: **09/521,769** § Group Art Unit: **1631**  
Filed: **March 9, 2000** § Examiner: **Marjorie A. Moren**  
Confirmation No. **3731** § Atty. Dkt. No.: **11899.0249.NPUS01**  
For: **METHOD AND INFORMATION** §  
**SYSTEM FOR NON-RANDOM** §  
**SELECTION OF STRUCTURAL** §  
**FEATURES FOR TISSUE AND PLANT** §  
**PRODUCT PROCESSING** § Client File No.: **38-26(54027)B**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. A copy of the listed documents as required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to

be an admission that the information is, or is considered to be, prior art or material to patentability as defined in 37 C.F.R. § 1.56(b). Each of the cited references of this Information Disclosure Statement was referenced in a European Patent Office search dated November 18, 2004 (enclosed) for a corresponding application.

As the present Information Disclosure Statement is being filed after the receipt of a first Official Action reflecting an examination on the merits, it is believed that a fee of \$180 is required. The Commissioner is hereby authorized to deduct \$180 in fees for the submission of the present Information Disclosure Statement from **Deposit Account No. 01-2508/11899.0249.NPUS01**. If any fees additional fees under 37 C.F.R. § 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from **Deposit Account No. 01-2508/11899.0249.NPUS01**.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,



Rexford A. Johnson  
Reg. No. 57,664  
Attorney for Assignee  
MONSANTO COMPANY

Customer No. 45607  
HOWREY LLP  
1111 Louisiana, 25<sup>th</sup> Floor  
Houston, Texas 77002-5242  
(713) 787-1697  
(713) 787-1440 Facsimile  
Date: November 7, 2005

**Form PTO-1449 (modified NOV 10 2005)**

List of Patents and Publications for Applicants

**INFORMATION DISCLOSURE STATEMENT**

(Use as many sheets as necessary)

Atty. Docket No. 11899.0249.NPUS01 Serial No. 09/521,769

Applicants  
Peter C. Johnson

Filing Date: March 9, 2000 Group: 1631

U.S. Patent Documents

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Foreign Patent Documents

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Other Art

See Page 1

**U.S. Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	4,437,934	3/20/1984	Nelson et al.	159	47.1	9/13/1982
	A2	5,526,258	6/11/1996	Bacus	364	413.1	8/23/1995
	A3						

**Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	1,839,074	12/30/1993	U.S.S.R.			Yes: Abstract
	B2	974,977	11/23/1982	U.S.S.R.			No
	B3	WO 99/03557	1/28/1999	WIPO			

**Other Art (Including Author, Title, Date Pertinent Pages, Etc.)**

Exam. Init.	Ref. Des.	Citation
	C1	S.D. Tanksley et al., "Use of molecular markers in breeding for soluble solids content in tomato—a re-examination," Theoretical and Applied Genetics, Springer, Berlin, Germany, vol. 75, 1988, p. 811-823.
	C2	Database FSTA Online, International Food Information Service (IFIS), Frankfurt, Germany, 1/1/1978, Pathak S.R. et al., "Evaluation of tomato ( <i>Lycopersicon esculentum</i> Mill.) cultivars for processing," Indian Food Packer, 1978, vol. 32, pg 25-31.
	C3	

Examiner:

Date Considered:

EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.